

Spencer A. Schneider (SBN 175071)
Karen E. Adelman (SBN 216927)
BERMAN, BERMAN & BERMAN, LLP
11900 West Olympic Blvd., Sixth Floor
Los Angeles, California 90064
Telephone (310) 447-9000
Facsimile (310) 447-9011

Attorneys for Defendant
SIRIUS AMERICA INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RODAN ENTERPRISES, INC.,)	CASE NO. 05-CV-04643 MJJ
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER
)	TO CONTINUE MEDIATION CUT-OFF
v.)	DATE
)	
SIRIUS AMERICA INSURANCE)	
COMPANY AND DOES 1 - 100,)	
inclusive,)	
)	
Defendants.)	

The parties, Rodan Enterprises, Inc. and Sirius America Insurance Company ("SAIC"), by and through their counsel of record, hereby stipulate as follows:

1. The mediation cut-off date in this case is currently set for June 5, 2006. The parties stipulate and agree that this cut-off date should be continued to August 31, 2006, or thereafter as this Court deems appropriate;

2. Good cause exists for continuing the mediation cut-off date because such a continuance will allow the parties to file their respective motions for summary judgment and obtain rulings thereon in advance of the mediation date. Deferring the

mediation date until after the parties' respective motions for summary judgment are heard will ensure a more productive mediation session and facilitate settlement discussions;

3. The parties are available and will be ready to participate in mediation on or before August 31, 2006;

4. No previous continuances of the mediation cut-off date have been requested; and

5. This continuance is not sought for any dilatory purpose.

Dated: May 24, 2006

LAW OFFICES OF BRUCE C.F. MCARTHUR

By: 

BRUCE C.F. MCARTHUR

Attorneys for Plaintiff RODAN ENTERPRISES, INC.

Dated: May 24, 2006

BERMAN, BERMAN & BERMAN, LLP

By: 

SPENCER A. SCHNEIDER

KAREN E. ADELMAN

Attorneys for Defendant SIRIUS AMERICA INSURANCE COMPANY

Based on the foregoing stipulation and good cause appearing therefore, IT IS HEREBY ORDERED that the mediation cut-off date in this matter is continued to August 31, 2006.

Date: 5/26/2006



U.S. District Judge Martin J. Jenkins